

Doc Code:

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65/205/p5

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/696,253
Filing Date	October 29, 2003
First Named Inventor	Alex Fishman
Art Unit	2857
Examiner Name	Hal D. Wachsman
Attorney Docket Number	15436.253.77.1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

- b.  Enclosed

- i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-3178. I have enclosed a duplicate copy of this sheet.

- i.  RCE fee required under 37 CFR 1.17(e) | 05/25/2005 MAHMED1 00000073 10696253  
ii.  Extension of time fee (37 CFR 1.136 and 1.17) | 01 FC:1801 790.00 OP  
iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature

Date

May 23, 2005

Name (Print / Type)

Peter F. Malen, Jr.

Registration No.

45,576

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature

Date

Name (Print / Type)

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Fishman, et al.

MAY 23 2005

Docket No.

15436.253.77.1

Application No.  
10/696,253Filing Date  
October 29, 2003Examiner  
Hal D. WachsmanCustomer No.  
022913Group Art Unit  
2857Invention: **SYSTEM AND METHOD OF TESTING A TRANSCEIVER**

I hereby certify that the following correspondence:

**RCE and Submission (21 pgs); RCE Transmittal (1 pg in duplicate); Amendment Transmittal Letter (1 pg in duplicate); Combined Declaration and Power of Attorney (6 pgs); IDS (3 pgs); IDS Transmittal Letter (2 pgs); Form 1449 (3 pgs); Credit Card Payment Form; and Postcard***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 23, 2005  
*(Ddate)***Gina Meredith***(Typed or Printed Name of Person Mailing Correspondence)*Gina Meredith*(Signature of Person Mailing Correspondence)***EV 657811489 US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

## AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Fishman, et al.

MAY 23 2005

Docket No.

15436.253.77.1

Application No. 10/696,253	Filing Date October 29, 2003	Examiner Hal D. Wachsman	Customer No. 022913	Group Art Unit 2857	Confirmation No. 7077
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Invention: SYSTEM AND METHOD OF TESTING A TRANSCEIVER

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	22 -	22 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 23-3178
- Any additional filing fees required under 37 C.F.R. 1.16.
  - Any patent application processing fees under 37 CFR 1.17.
- Payment by credit card. Form PTO-2038.

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Signature

Dated: May 23, 2005

Peter F. Malen, Jr.  
Attorney for Applicants  
Reg. No. 45,576  
Telephone No. 801-533-9800

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



EXPRESS MAIL LABEL NO: EV 657811489 US

PATENT APPLICATION  
Docket No. 15436.253.77.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
                        )  
                        )  
                        Alex Fishman et al. )  
                        )  
Serial No.:         10/696,253                      ) Art Unit  
                        ) 2857  
Filed:              October 29, 2003                 )  
                        )  
For:                 SYSTEM AND METHOD OF TESTING )  
                        A TRANSCEIVER                         )  
                        )  
Confirmation No.: 7077                                 )  
                        )  
Customer No.:      22913                                 )  
                        )  
Examiner:           Hal D. Wachsman                   )

**RCE AND 'SUBMISSION' PURSUANT TO 37 CFR 1.114(e)**

**Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

In the interest of advancing the prosecution of this case, Applicant has submitted herewith a Request for Continued Examination, an Amendment responsive to the Office Action mailed February 24, 2005 (the "Office Action"), and an Information Disclosure Statement ("IDS"). Reconsideration is respectfully requested in view of the IDS, and the following amendments and remarks:

*Amendments to the Specification* begin on page 2 of this paper;

*Amendments to the Abstract* begins on page 5 of this paper;

*Amendments to the Claims* begins on page 6 of this paper; and

*Remarks* begin on page 12 of this paper.